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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/532,483	12/13/1999	Freeland Abbott	ATV-007	6737

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EXAMINER
SALAD, ABDULLAHI ELMI

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	Applicant(s)
Office Action Summary	09/532,483	ABBOTT ET AL.
	Examiner	**Art Unit**	
	Salad E Abdullahi	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 January 2002</u> .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *6-9* .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

Detailed Action

1. This application has been reviewed. Original claims 1-19 are pending. The rejection

cited stated below.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

3.   Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christie et al

U.S. Patent No. 6,182,117.

As per claims 1, 16, 18 and 19, Christie et al discloses a system for transmitting content,

comprising the steps of -

■   identifying, by a first server agent running on a first computer in a computer

system, at least a portion of a file for transmission to a second server agent running

on a second computer in the computer system, the first, and second server agents each

providing an   interface between the computer system and the first and second

computers respectively (identifying changes made to objects in local site's database) (see

see figs. 3a and 3b and col. 3, lines 9-65 to col. 5, lines 13-20);

■   transmitting at least the portion of the file from the first web server agent to the second

web server agent (see col. 5, lines 13-37); and

■   storing, by the second web server agent, at least the portion of the transmitted file.

(col. 6, lines 24-30 and col. 19, lines 21-27).

Christie et al., is silent regarding utilizing web service system for providing web pages.

Nonetheless, utilizing web services would have been an obvious modification to Christie's

system. In addition, Christie's system includes two sites where data is replicated between the two

sites, such sites is known to include variety of different servers such as application servers, web

servers and etc, hence utilizing web servers in Christie's system would have been an obvious

modification because web servers would benefit replicating process taught by Christie, in order

to efficiently replicate data from one particular web server to another web servers (see figs. 3a

and 3b and col. 3, lines 9-65 to col. 5, lines 13-20). Therefore, it would have been obvious to one

having ordinary skill in the art at the time of the invention to utilize web servers in Christie's

system because web servers are standard means of communication with high performance,

security, extensibility and scalableness.

In considering claims 2 and 10, Christie et al., disclose a system, wherein the identifying step

comprises identifying the entirety of the file (see col. 3, lines 9-65 to col. 5, lines 13-20);

the transmitting step comprises transmitting the entirety of the file (see col. 5, lines 13-

37); and

the storing step comprises storing, by the second web server agent, the entirety of the

transmitted file (col. 6, lines 24-30 and col. 19, lines 21-27).

In considering claims 3 and 11, the step of repeating the identifying, transmitting, and storing

steps would have been an obvious to Christie's system..

In considering claim 4-5, and 12-13, Christie discloses a system, wherein the identifying step

comprises the step of identifying a portion of the file that was not previously transmitted

(see col. 3, lines 46 to col. 4, line 41).

In considering claims 6 and 14, Christie discloses a system, further comprising, before the

identifying step, the step of executing a program (a script or batch) that operates on the

file (see col. 3, lines 19-21).

In considering claims 7 and 15, Christie discloses a system, wherein the identifying step

comprises identifying, by the first server agent, at least a portion of the file, which

comprises a log file about user data to the server (see col. 6, lines 50-57).

In considering claim 8. The claim includes features discussed above with respect to claim 1,

further reciting renaming first file with second name (see col. 3, lines 47-65, where

Christie describes after naming an object or file with unique identifier (UID), any

changes/ modification to the object is to renamed with second object identifier).

In considering claims 9 and 17. The claim includes features discussed above with respect claim

1, further reciting: running a computer program, running, by the first site agent,

transmitting the output of the computer program from the first web

server agent to a second web server agent running on a second computer in the web

service system and storing by the second web server agent, the computer program output

(the first site running a replication agent or replicator which synchronizes database file

and transmits output of the synchronization process to the second site for storage) (see

col. 3, lines 9-46).

CONCLUSION

4.   The prior art made of record and relied upon is considered pertinent to the applicants

disclosure.

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to **Abdullahi E. Salad** whose telephone number is **(703) 308-8441.** The

examiner can normally be reached on Monday to Friday from **8:30 AM to 5:00 PM**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Etienne, Ario can be reached at **(703)308-7562.** Any inquiry of a general nature or relating to the

status of this application or proceeding should be directed to the receptionist whose telephone

number is **(703)305-3900.**

Any response to this action should mailed to:

   Box AF

      Commissioner of Patents and Trademarks

      Washington, DC 20231

   or faxed to:

      (703) 746-7238, **(after final communications)**

      (703) 746-7239, **(Official communications)**

      (703) 746-7240,   (Non-Official/Draft).

   As
   5/2/2003

ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100